

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: ALJ	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE:	:	7. DATE FILED: 07/26/04
8. DOCKET NO: C-20043445	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: ZACHARKO, THERESA J. ET AL

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMP/APP COUNTY:

UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES GAS COMPANY BILLED FOR SERVICE PROVIDED TO ANOTHER PARTY AND REFUSED TO REMOVE CHARGE TO ALLOW SALE OF PROPERTY. THEY WANT PUC TO ORDER COMPANY TO PAY BACK MONEY.

DOCUMENT  
FOLDER

DOCKETED  
AUG 07 2004

ORIGINAL

C-2004 3445  
125042

Formal Complaint Form 04 JUL 23 AM 9:08  
Pennsylvania Public Utility Commission

REGISTRY'S BUREAU

Please Print: (you may also type your answers directly onto the form as it appears on your screen)

1. Your name, mailing address and telephone number.

Name Theresa J. ZACHARKO ETAL  
Street/P.O.Box 2307 ANDOVER Rd. Apt #  
City CINNAMILSON State VT Zip 08077  
County BURLINGTON Area Code/Home Phone 956-303-9484  
Area Code/Work Phone 215-787-2224

*See attached sheet #1*

2. Name of company your complaint concerns: PGW

*2234 OR  
6975  
(Tues.,  
Thur. & Fri.)*

3. What is your complaint? (Use additional paper if need more space).

*See attached sheet #2*

4. What do you want the Public Utility Commission to do about your complaint?  
(Use additional paper if need more space).

*I want the PUC to order PGW to pay back the \$1,899.29 the  
Took from our Parents, Sigismund & Dorothy WENCLAWIK for a bill that wasn't  
theirs and make them retrieve it from the responsible party, Laura  
Wenclawik (nee Powers) She is RESPONSIBLE FOR THIS ACCOUNT & needs to  
be held ACCOUNTABLE. They need to go AFTER her for the money  
they ARE OWED.*

5. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

Theresa J. Zacharko POA 7-22-04  
Signature Date

Continued on next page

- X John W. Taylor POA
- X Sigismund Wenclawik
- X Dorothy Wenclawik

Joan Taylor  
2716 New Albany Road  
Cinnaminson, NJ 08077  
(856) 786-4787

Joan Taylor

#1

Sigismund Wenclawiak &

Sigismund Wenclawiak

Dorothy Wenclawiak

Dorothy Wenclawiak

4465 East Thompson Street  
Phila., PA 19137  
(215) 289-0243

#2

My parents, Sigusmund and Dorothy Wenclawiak were selling their formal residence at 2401 Duncan Street, Phila., PA 19124. On 5-20-04, the day before settlement was to take place, our realtor called and said that Credit Lenders Title Agency, informed her they received a fax from Philadelphia Gas Works stating that our parents owe them \$1,899.29. We knew this wasn't their bill, but it was too late in the day to reach anyone at the provided phone number. The next morning, 5-21-04, I called PGW, gave them the account number from the faxed paperwork and explained what was going on. They told me that this wasn't our bill and that we weren't responsible for it. I asked if the name on this account was Laura Wenclawiak and they confirmed it. Laura Wenclawiak (nee Powers) is my deceased brother's wife. I asked if I could get a copy of Laura's bill with her account number on it or a letter stating that this is not our parents account and responsibility, because we need to give it to the title company to straighten this whole thing out. I was told that there was no way they could do this. Laura, her son, my brother John and their daughter lived at 2401 Duncan Street. Sometime after John's death, Laura changed the gas bill from my father's name to hers. In August 2003, Laura was refusing to leave the property and while we were in the process of having her evicted, she was arrested for selling narcotics from the property to juveniles. She wasn't allowed to return to the property. We took possession on 11-15-03. Before all this, I've called PGW. I wanted to find out information about the account, if there were any unpaid bills and who was responsible for them. They told me over and over again that Laura is responsible for this account (2401 Duncan Street) and that it will follow her wherever she goes. I've asked them, "Even if we sell the property?" And they've said, "Yes." They always refused to give me any information each time I called about this account, because "It wasn't ours." My sister and mother waited for three hours at the gas company to set up a new account in my father's name for Duncan St. Now, a day before settlement, magically this outrageous and unpaid bill, is their responsibility? On 5-21-04 our realtor called the phone number at the bottom of the fax for PGW Collections Department and spoke to John McCann. He said that there's a lien against the property. Our realtor told him that there aren't any liens on the title and that this is not our account and that PGW has been telling us for months that this is not our bill. Basically, the Law Department didn't want to hear it and there is nothing we can do about it. They refused to put the money in escrow. We were told that we had to pay this bill first at settlement or they would put a lien on the property and that meant the sale couldn't go through. Our hands were tied and they knew it. This is not fair! It's not our fault that PGW continued to allow Laura Wenclawiak to abuse them! Laura had a budget agreement with PGW, which she broke and instead of discontinuing service, they allowed her to ring up an astronomical bill. Then they find out that the property is being sold and they know their not going to get their money from a dead beat, so they want my parents to be the responsible party. (Yet they would never release any information to them, about this account, prior to this!) I called PGW, I believe in early May 2004, and found out that Laura was trying to set up another account somewhere else and that they kept telling her, she needs to come into the service center. Then on 5-21-04, PGW collections tells our realtor that they've allowed Laura to once again set up another account with them and that she was paying a minuscule amount on her balance. So not only have they falsely taken \$1,899.29 from my parents, but they've also allowed Laura to abuse the system and they have set up yet another account with her. No wonder our utility bills are so high. My parents are elderly, tax paying, law biding citizens and they feel that they are and have been taken advantage of and so do we! This is a grave injustice. Please help us.

See FAXed Paperwork from PGW Law Dept. attached #3

# City of Philadelphia Law Department



Fax # 215-684-6150

pgw



abstract co.

CREDIT LENDERS TITLE AGENCY  
PO BOX 508  
CHERRY HILL NJ 08003

caller

*Shuley Taylor*

phone # 856-787-9005 x1350 fax # 856-787-1372

Property 2401 Duncan Street

Owner's Name: Sigismund Wencelawski

Buyer's Name: William Jack Diaz & Jessica Diaz

Sale  Refinance

Date of Settlement:

Time Needed By:

5/19/04

5/18/04

for pgw use only

Amount due: 6,899.29 Good through: 5-25-2004

Account #: 0189473893 Not found. Verify PGW service with owner

Meter Reading: 628 Date: 4-23-2004 (Actual) Estimate

Amount to Escrow: \_\_\_\_\_ until you have meter read, then call us with reading

MUST Provide Seller's New Address for Final Bill: \_\_\_\_\_

Other: \_\_\_\_\_

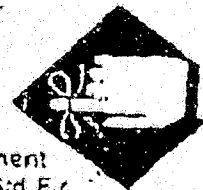
Prepared by A. Prout Date: 5-10-2004

Make check payable to PGW: Don't forget to mail this used filled in form back to us with your check to speed processing time.

Mail to:

City of Philadelphia - Law Dept.  
PGW - Enforcement Division  
One Parkway  
1515 Arch Street, 15<sup>th</sup> Floor  
Philadelphia, PA 19102  
Attn: Steven Sankey  
Phone (215) 683-6207

PGW - Collection Department  
800 W Montgomery Ave. 3rd Fl.  
Philadelphia, PA 19122  
Attn: John McCann



acct# 6119449528

#3

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P O BOX 3265, HARRISBURG PA 17105-3265

DATE SERVED: August 4, 2004

C-20043445

LAURETO FARINAS ESQUIRE  
PHILADELPHIA GAS WORKS  
800 W MONTGOMERY AVE  
PHILADELPHIA PA 19122-2898

DOCUMENT  
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by THERESA J. ZACHARKO ET AL. To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

COMPANY/UTILITY

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

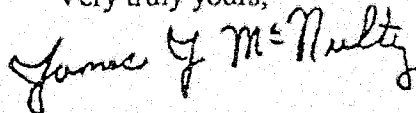
August 4, 2004

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

Very truly yours,

A handwritten signature in cursive script that reads "James J. McNulty".

James J. McNulty  
Secretary

KSB

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: August 4, 2004

TERESA J. ZACHARKO ET AL  
Complainant

VS.

PHILADELPHIA GAS WORKS  
Respondent

Complaint Docket  
No: C-20043445

DOCUMENT  
FOLDER

INDEXED  
AUG 0 - 2004

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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TO: PHILADELPHIA GAS WORKS

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

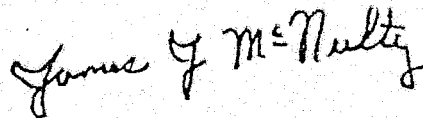
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.



James J. McNulty  
Secretary

(SEAL)

Certified Mail  
Return Receipt Requested

DOCUMENT

Philadelphia Gas Works



800 West Montgomery Avenue, Philadelphia, PA 19122

Laureto A. Farinas, Senior Attorney

Legal Department

Direct Dial: 215-684-6982

FAX: 215-684-6798

E-mail: laureto.farinas@pgworks.com

ORIGINAL

September 22, 2004

RECEIVED

SEP 22 2004

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

James McNulty, Secretary  
Pennsylvania Public Utility Commission  
Room B-20, North Office Building

Re: Theresa J. Zacharko et al, v. PGW, Docket No. C-20043445

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.24(b), the Philadelphia Gas Works (PGW) certifies that the above referenced Complaint has been satisfied and the Complainant acknowledges that the Complaint has been satisfied. PGW and the Complainant have discussed the Complainant's concerns and have reached a settlement. Accordingly, the Complainant has indicated that she is satisfied with the resolution of this matter.

By copy of this letter, I am notifying the Complainant of her right to object to the Public Utility Commission, in writing, to any part of this settlement within ten (10) days of the date of this letter.

If additional information is needed about this matter, please contact me at my direct-dial number above. Thank you for your assistance.

Sincerely,

*Laureto A. Farinas*

Laureto A. Farinas, Esq.

DOCKETED

SEP 24 2004

SB

cc: Theresa J. Zacharko, Representative (regular mail)  
Sigismond & Dorothy Wenclawiak (regular mail)  
Anne Cromley (CRU)

110

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: September 29, 2004  
SUBJECT: C-20043445  
Theresa J. Zacharko et al v Philadelphia Gas Works  
TO: Wanda Zeiders  
Docket Management  
FROM: Ona Lester, ALJ Support Staff  
Office of Administrative Law Judge

On September 22, 2004, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of service, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: Mediator Bruce Bigelow  
Beth Plantz  
Case File

**DOCKETED**  
OCT 20 2004

**DOCUMENT  
FOLDER**



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

December 7, 2004

C-20043445

THERESA J. ZACHARKO ET AL  
2307 ANDOVER ROAD  
CINNAMINSON NJ 08077

THERESA J. ZACHARKO ET AL  
v.  
PHILADELPHIA GAS WORKS

TO WHOM IT MAY CONCERN:

Please be advised that the Commission has marked closed the above-entitled proceeding.

Very truly yours,

James J. McNulty  
Secretary

nvl  
cc. All parties of Record  
Office of ALJ

DOCUMENT  
FOLDER

DOCKETED  
DEC 07 2004



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

January 5, 2005

C-20043445

THERESA J. ZACHARKO  
2307 ANDOVER ROAD  
CINNAMINSON NJ 08077

DOCKETED  
JAN 07 2005

PHILADELPHIA

THERESA J. ZACHARKO ET AL  
v.  
PHILADELPHIA GAS WORKS

TO WHOM IT MAY CONCERN:

Please be advised that the Commission has marked closed the above-entitled proceeding.

Very truly yours,

James J. McNulty  
Secretary

nvi  
cc: All parties of Record  
Office of ALJ